

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIRDA BELL BULLARD; et. al.

Plaintiffs,

vs.

**BURLINGTON NORTHERN SANTA
FE RAILWAY COMPANY; KOPPERS
INDUSTRIES, INC.; MONSANTO
COMPANY; DOW CHEMICAL
COMPANY; AND VULCAN
MATERIALS COMPANY**

Defendants.

Case No. 07-C-6883

Judge Kennelly

Magistrate Judge Ashman

AFFIDAVIT OF DAVID SHAW

David Shaw, being first duly sworn, on oath deposes and states as follows:

1. My name is David Shaw. I am over the age of eighteen, of sound mind and fully competent to execute this Affidavit.
2. Koppers Inc., f/k/a Koppers Industries, Inc. ("Koppers"), acquired the Somerville Tie Treatment Facility ("Somerville Facility") as part of an Asset Purchase Agreement with the Atchison Topeka and Santa Fe Railroad in March of 1995 and began operations immediately thereafter.
3. Since 1995, I have been employed by Koppers Inc. ("Koppers") as the Plant Manager for the Somerville Facility.
4. The statements in this Affidavit are based on my personal knowledge derived from my employment as Plant Manager at the Somerville Facility.

5. As the Plant Manager, I am responsible for coordinating and supervising operations at the Somerville Facility. My direct supervisor is Ted Woerle, who works at Koppers' corporate headquarters in Pittsburgh, Pennsylvania.

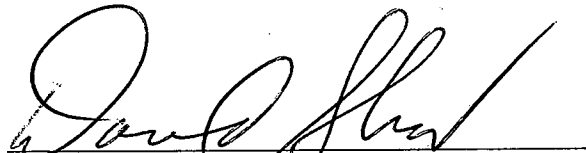
6. From 1995 to the present, Koppers has never used pentachlorophenol ("PCP"), either as a direct wood treatment preservative or as a component of creosote preservatives, at the Somerville Facility.

7. From 1995 to the present, Koppers has never received shipments of PCP at the Somerville Facility or mixed PCP with creosote wood treatment preservatives at the Somerville Facility.

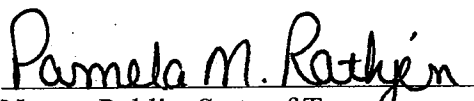
8. In 1997, Koppers completed construction of a concrete unloading system which enabled Koppers to receive shipments of creosote preservatives via rail car from a facility located in Cicero, Illinois ("Stickney Facility").

9. Prior to completion of this construction, Koppers primarily received shipments of creosote preservatives via truck from a facility located in Houston, Texas.

FURTHER AFFIANT SAYETH NOT.


David Shaw

Subscribed and sworn to
before me this 30 day of June, 2008.


Notary Public, State of Texas
My Commission Expires: 12-30-2011

